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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Gregory H. Lambrecht et al.
Serial No.: 09/700,167
Filing Date: 11/09/00
Title: CARDIAC VALVE PROCEDURE
METHODS AND DEVICES
Group Art Unit: 3738
Examiner: David J. Isabella
Attorney's Docket No.: VIA-3

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

RESPONSE

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED
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September 23, 2002

(DATE OF DEPOSIT)

James A. Sheridan

(NAME OF ATTORNEY)

James A. Sheridan 9/23/02

(SIGNATURE)

September 23, 2002

(DATE OF SIGNATURE)

This is in response to the outstanding Office Action in the
above-identified application.

Claims 1-49 stand subject to a restriction requirement under
35 U.S.C. §121 as follows:

Group I - Claims 1, 2, 10, 11, 27-40 and 46-49, drawn
to surgical methods, classified in class 128, subclass 898.

Group II - Claims 3, 5 and 41, drawn to intravascular
device, classified in class 623, subclass 1.1;

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Group III - Claims 4 and 12, drawn to intravascular filter, classified in class 606, subclass 200;

Group IV - Claims 6-9 and 42, drawn to expandable valve, classified in class 623, subclass 3.1;

Group V - Claims 12-16, drawn to intravascular filter kit, classified in class 606, subclass 195;

Group VI - Claims 17, 18 and 43-45, drawn to valve fixation device, classified in class 606, subclass 151; and

Group VII - Claims 19-26, drawn to cardiac valve, classified in class 623, subclass 3.5.

It is Applicants' belief that Group IV also contains claim 9 and that the sixteen (16) species of the invention identified in the outstanding Official Action relate to Group I. If either one of these beliefs is incorrect, clarification is respectfully requested.

In response, Applicants hereby elect, without prejudice, to prosecute the invention of Group II, claims 3, 5 and 41.

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Applicant expressly reserves the right to prosecute all non-elected subject matter in related applications.

Respectfully submitted,

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